THE HON'BLE SRI JUSTICE C.V. RAMULU

Wednesday, 5th day of September,2007

W.P.No.27214 of 2006

Between:-

R. Bangaraiah … Petitioner

and

The Superintending Engineer
(Operations), APSPDCL,
4/7 Brodipet, Guntur and others … Respondents

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W.P.No.27214 of 2006

ORAL ORDER:

It appears, on certain allegations made against the petitioner, he was proceeded with Departmentally. An Enquiry Officer was appointed to conduct a detailed enquiry into the matter. At that stage, petitioner filed a Writ Petition in W.P.No.22789 of 2006 seeking to stall the enquiry proceedings. However, the said Writ Petition was disposed of directing the petitioner to submit a detailed representation to the 3rd respondent therein i.e. Superintending Engineer (Operations), A.P. Southern Power Distribution Company Limited, Guntur (1st respondent herein) raising all his contentions together with relevant documents in support of his claim for revocation. On filing such representation, the Superintending Engineer was directed to consider the same and pass appropriate speaking orders in accordance with law. Thereafter, the Proceedings dated 5-9-2006 was issued by the 2nd respondent, whereunder a charge sheet was issued to the petitioner. Questioning the said charge sheet, the present Writ Petition is filed.

Generally speaking, no Writ Petition against a charge sheet can be entertained, unless and until some extraordinary grounds, such as, jurisdiction or *mala fides* are raised. In this case, neither the jurisdiction of the 2nd respondent in issuing the charge sheet is questioned nor any *mala fides* are attributed against him. Under those circumstances, I am of the opinion that the very Writ Petition is not maintainable and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

05-9-2007

prk